

Virginia's Child Passenger Safety Laws

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VIRGINIA'S CHILD RESTRAINT DEVICE LAW **(Code of Virginia Article 13 - Section 46.2)**

The major requirements of Virginia's Child Safety Seat Law:

Child restraint devices are required for children through the **age of seven (until 8th birthday)**. Safety seats must be properly used and approved by Department of Transportation standards. **There is no height or weight requirement associated with this law.** The Virginia law is based solely on age.

Rear-facing child restraint devices must be placed in the back seat of a vehicle. In the event the vehicle does not have a back seat, the child restraint device may be placed in the front passenger seat only if the vehicle is either not equipped with a passenger side airbag or the passenger side airbag has been deactivated.

Children can no longer ride unrestrained in the rear cargo area of vehicles.

The law applies to anyone (i.e. parents, grandparents, babysitters, and friends) who provides transportation for a child in any vehicle manufactured after January 1, 1968. Public transportation (taxis, buses), regulation school buses, and farm vehicles are exempted.

The child restraint law is primary enforcement -- no other violation need be committed prior to ticketing for failure to have a child in an approved seat.

A \$50 civil penalty fine is imposed for failure to have a child in a child restraint device. Any person found guilty a second or subsequent time, on different dates, will be fined up to \$500. An additional \$20 civil penalty fine is assessed when persons transporting a child exempted from this law due to medical reasons do not carry a written statement of the exemption. All fines collected go into a special fund to purchase safety seats for low-income families.

There are assistance programs for low-income residents who cannot afford a safety seat. Contact Virginia Department of Health, Division of Injury and Violence Prevention at 1-800-732-8333 for more information.

VIRGINIA'S PASSENGER SAFETY BELT LAW
(Code of Virginia Article 12 - Section 46-2)

The major requirements of Virginia's Child Safety Belt Law:

Children **age 8 through age 17 (until age 18)** must be belted correctly in vehicle safety belts, in vehicles manufactured after January 1, 1968. Exemptions are taxicabs, school buses, executive sedans and limousines.

This safety belt law is primary enforcement -- no other violation need be committed prior to ticketing for failure to have a child correctly buckled up.

VIRGINIA'S PICKUP TRUCK LAW
(Code of Virginia Section 46.2 - 1156.1)

No person under age 16 shall be transported in the rear cargo area of a pickup truck.

There are exemptions for certain parades and farming operations.

What is the Virginia law regarding child safety seat use?

Child safety seats and booster seats are required for all children until their **8th birthday**. Safety seats must be properly used and approved by Department of Transportation standards. **This law is based solely on age, with no weight or height requirements.** The child restraint law is primary enforcement -- no other violation need be committed prior to ticketing for failure to have a child in an approved seat. - Code of Virginia Article 13 - Section 46.2-1095

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up. No person under age 16 shall be transported in the rear cargo area of a pickup truck. There are exemptions for certain parades and farming operations. - Code of Virginia Section 46.2 - 1156.1

How long should my child ride rear-facing in a child safety seat?

A rear-facing child safety seat supports your infant's upper body, protecting the head, neck and spine and spreading crash forces across the back. A properly installed child safety seat reduces the risk of death by 71% for infants involved in crashes, according to the National Highway Traffic Safety Administration (NHTSA).

Always put your infant in a rear-facing child safety seat in the back seat of your car. A baby riding in the front seat can be fatally injured by a passenger side air bag. Continue to do so until age 2 or until your child reaches the weight or height limit for the seat. Some rear-facing child safety seats can accommodate up to 35 to 40 pounds.

Is it safe for my rear-facing baby's feet to touch the vehicle seat?

There is no evidence that a baby's feet touching the back of a seat are at risk of injury in a crash. If your baby is having this problem and in an infant carrier, you may consider using a convertible safety seat in the rear-facing position to provide additional room for his or her legs. The benefits of remaining rear-facing far outweigh the injury risks to their legs.

When should my child ride forward-facing in a child safety seat?

According to the American Academy of Pediatrics, all children 2 years or older, or those younger than 2 years who have outgrown the rear-facing weight or height limit for their CSS, should use a forward-facing CSS with a harness for as long as possible, up to the highest weight or height allowed by the manufacturer of their CSS. Check the instruction manual or seat label for your seat's maximum weight and height limits for rear-facing use.

There are different types of rear-facing car seats: Infant-only seats can only be used rear-facing. Convertible and 3-in 1 car seats typically have higher height and weight limits for the rear-facing position, allowing you to keep your child rear-facing for a longer period of time. If you have been using a convertible seat in the rear-facing position, you'll need to make a few adjustments to convert it to forward-facing (e.g. incline angle, harness slots). Always follow the car seat manufacturer's instructions and your vehicle owner's manual.

When is my child ready for a booster seat?

Keep your 4 to 7 year old children in their **forward-facing** car seat with a harness until they the top height or weight limit allowed by your car seat's manufacturer. Once they outgrow their forward-facing car seat with a harness, it's time to travel in a **booster seat** ... but still in the rear seat.

Restraining a child under the age of 8 with only a seat belt is illegal in Virginia and will put them at risk for serious injury or death. A belt-positioning booster seat raises your child up so that your vehicle's lap and shoulder belt is properly positioned across his/her shoulder and thighs.

When can my child ride using only the vehicle seat belt?

Keep your 8 to 12 year old children in their **booster seat** until they are big enough to fit in a seat belt properly (never before age 8).

Usually children will be at least 4'9" tall when they can fit properly in a vehicle seat belt. It is very important that the seat belt fits correctly before transitioning your child to one. Here is how you can tell if they are ready:

Your child has reached their 8th birthday.

Your child is tall enough to sit against the vehicle's seat back with her knees bent comfortably over the edge of the seat.

The shoulder belt lies snugly across your child's shoulder and chest, not at the neck or face.

The lap belt lies snugly across the upper thighs, not across the stomach.

Your child can ride in this position for the duration of the car ride.

When children are old enough and large enough to use the vehicle seat belt alone, they should always use lap-and-shoulder seat belts for optimal protection

Is it safe for my child to ride in the front seat?

It is safest for all children younger than 13 years of age should be restrained in the rear seats of vehicles for optimal protection. In some instances there are not enough seating positions for every child occupant and it is unavoidable to put a child under the age of 13 in the front seat. If this is the case, there are a few options to improve the safety of that child. If the air bag has an

on/off switch, turn it off, slide the vehicle seat back as far as possible from the dash, and make sure the child sitting in the front seat is safely restrained by a child safety seat, booster seat, or seat belt. Virginia Law does not prohibit children from riding in the front seat of a vehicle unless the child is secured in a rear-facing safety seat.